

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

STEPHEN YANOVER,

Plaintiff,

VS.

LIBERTY MUTUAL INSURANCE COMPANY,

Defendant.

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CIVIL ACTION NO. SA-17-CA-0541-FB

ORDER OF DISMISSAL AND JUDGMENT

Before the Court is the Rule 41(a) Stipulation of Voluntary Dismissal (docket #10). The parties advise the Court that they stipulate and agree that this matter has been resolved between them and that this case may be dismissed with prejudice with costs and expenses to be borne by the party incurring same. Although a dismissal pursuant to Rule 41(a)(1)(A)(ii) allows the plaintiff to dismiss an action voluntarily without a court order when the stipulation is signed by all parties who have appeared, the parties have requested an order from this Court.

Accordingly, IT IS HEREBY ORDERED, ADJUDGED and DECREED that pursuant to the Rule 41(a) Stipulation of Voluntary Dismissal signed by the parties (docket #10) and Federal Rule of Civil Procedure 41(a)(1)(A)(ii), all claims and this case are DISMISSED WITH PREJUDICE with costs and expenses to be borne by the party incurring same, and this case remains CLOSED.¹

It is so ORDERED.

SIGNED this 20th day of March, 2019.


FRED BIERY
UNITED STATES DISTRICT JUDGE

¹ Based on Rule 41(a)(1)(A)(ii), the Clerk of Court properly closed this case on December 21, 2018, when the Rule 41(a) Stipulation of Voluntary Dismissal was filed.